

Title: Argument
Filing Date: September , 2003
Address: To Patent Office Examiner Takehiko Tooyama

Identification of the Case

Application Number: 181027/2001

Patent Applicant:

Identification Number: 000005108

Name: HITACHI, LTD.

Agent

Identification Number: 100075096

Name: Yasuo Sakuta

Dispatch Number: 362333

Contents of Argument

Reasons:

1. The Examiner cited the following publications to demonstrate that the inventions of the present application could be easily made based on the inventions disclosed by these publications by a person skilled in the art and concluded that they are unpatentable in accordance with Paragraph 2 of Article 29 of the Patent Law:

Reference 1: Japanese Unexamined Patent Publication No.083899/1982

Reference 2: Japanese Unexamined Patent Publication No. 029123/1993

2. The applicant examined the above publications and found that Reference 2 includes no invention relating to an optical amplifier. Also, Reference 2 includes Figs.1 to 3 but we could not find Fig.5 which the Examiner suggested. For this reason, we reviewed the reason for rejection and cannot file an argument or an amendment or make any similar action.
3. Therefore, we would like you to reexamine the reason for rejection in the office action.

[Necessity for proof] Needed